

Attorney Docket No.: 215105.01400

Sustomer No. 27160

U.S. Patent Application No. 10/658,528

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

n re Application of:

: Group Art Unit: 1641

Cary James MILLER et al.

Application No.: 10/658,528

Examiner: Not Yet Assigned

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Confirmation No.: 1959

Filed: September 10, 2003

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For: IMMUNOASSAY DEVICE WITH IMPROVED SAMPLE CLOSURE. Atty. Dkt. No.: 215105.01400

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 November 5, 2004

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. §1.56 and in accordance with the practice under 37 C.F.R. §§1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Forms PTO/SB/08A and PTO/SB/08B. In accordance with current practice, copies of any listed U.S. Patent Documents are not being provided.

FORMAL MATTERS

In accordance with 37 C.F.R. § 1.97(b)(3), since a first Official Action on the merits of the subject application has not yet been issued, neither a certificate, petition nor payment of a fee is believed to be required for this Information Disclosure Statement. However, the Commissioner is hereby authorized to charge any fee which may be required in connection with this paper to Deposit Account No. 50-1710

Attorney Docket No.: 215105.01400 Customer No. 27160

CONCLUSION

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Forms PTO/SB/08A and PTO/SB/08B be returned indicating that such information has been considered.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our address given below.

Respectating submitted,

Gilberto M. Villacorta, PH.D. Registration No. 34,038 Robert W. Hahl, PH.D. Registration No. 33,893

Patent Administrator KATTEN MUCHIN ZAVIS ROSENMAN 525 West Monroe Street, Suite 1600 Chicago, Illinois 60661-3963 (202) 625-3500

PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

	Complete if Known					
	Application Number	10/658,528				
	Filing Date	September 10, 2003				
	First Named Inventor	Cary James MILLER	_			
	Art Unit	1641	_			
	Examiner Name	Not Yet Assigned				
	Attorney Docket Number	215105.01400	7			

				DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number Number-Kind Code ^{2 (f known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	^{US-} 5,096,669	03/17/1992	LAUKS et al.	
	2	^{US-} 5,628,961	05/13/1997	DAVIS et al.	
	3	US- 5,447,440	09/05/1995	DAVIS et al.	
	4	^{US-} 5,821,399	10/13/1998	ZELIN	
	5	US- 5,807,752	09/15/1998	BRIZGYS et al.	
	6	^{US-} 4,997,526	03/05/1991	ROBBLEE	
	7	US- 4,830,959	05/16/1989	McNEIL et al.	
	8	US- 5,200,051	04/06/1993	COZZETTE et al.	
	9	US- 5,112,455	05/12/1992	COZZETTE et al.	
	10	US- 5,063,081	11/05/1991	COZZETTE et al.	
	11	US- 6,478,938	11/12/2002	PAEK et al.	
	12	^{US-} 6,436,699	08/20/2002	BERGGREN et al.	
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	14	US- 6,106,778	08/22/2002	OKU et al.	
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Examiner Initials*		Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevent Pessages	
		Country Code ³ "Number ⁴ "Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T ₀
	20	JP 7-260782 A	10/13/1995	Shionogi & Co., Ltd.		
	21	JP 5-273212 A	10/22/1993	Pola Chem Ind. Inc.		
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	-					H
	-	ALL REFERENCES CONSIDERED EXCEP	WHERELINE	THROUGH /LA/		H

Signature Considered 03/04/2008 /Lyle Alexander/ "EXAMINER: Initial Freference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered, include copy of this form with next communication to applicant. "Applicant's unique citation designation number (optional). "See Knick Godes of USPTO Patent Documents at https://www.sept.oper.or/ mPEP 9510.4. "Enter Ordino that issued the document, by the "wheter code (WPD Standard ST.3.)" For Japanese patent documents, the indication of the year of the reign of the Emperor must precode the senial number of the patent document. "Sind of occument by the appropriate symbols as indicated on the document under WPD Standard ST.16 if possible." "Applicant is to place a check mark field fight hanguage of the patent statement of the patent of the p

Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete,

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known						
Application Number	10/658,528					
Filing Date	September 10, 2003					
First Named Inventor	Cary James MILLER					
Art Unit	1641					
Examiner Name	Not Yet Assigned					
Attomey Docket Number	215105.01400					

			U. S. PATENT	DOCUMENTS		
Examiner Initials*	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant	
		Number-Kind Code ^{2 (F trown)}			Figures Appear	
	22	^{US-} 5,656,504	08/12/1997	JOHANSSON et al.		
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	24	US- D337,164	07/06/1993	LAUKS et al.		
	25	^{US-} 5,779,650	07/14/1998	LAUKS et al.		
	26	^{US-} 5,666,967	09/16/1997	LAUKS et al.		
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	31	US- 5,254,315	10/19/1993	NURSE et al.		
	32	^{US-} 6,395,235	05/28/2002	KILCOIN et al.		
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Examiner Initials*		Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Pessages	
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		ALL REFERENCES CONSIDERED EXC	EPT WHERE LIN	ED THHOUGH. /LA/	i	

Examiner Signature	/Lyle Alexander/	Date Considered	03/04/2008

"EXAMINES: Intial if reference considered, whether or not citation is in conformance with MPEP 605. Diver line through citation if not in conformance and not considered include copy of this form with next communication to applicant. "Appleants' unique citation designation number (optional) on the conformance of USPTO Patient Documents at www.upsto.cop or MPEP 901.04." Enter Office that issued the document, by the howeter code, WIPO Standard ST.3." For Japanese patient documents, the includation of the year of the reign of the Employeer wast procede the sentel number of the patient documents and option of the year of the reign of the Employeer wast procede the sentel number of the patient documents are included on the year of the reign of the Employeer wast procede the sentel number of the patient document and the patient documents are included on the document under WIPO Standard ST.16 if possible. "Applicant is to place a check mark here if English language Translation is started-ed.

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Application Number 10/658,528

INFORMATION DISCLOSURE Filling Date September 10, 2003

STATEMENT BY APPLICANT First Named Inventor Cary James MILLER

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				cessary,	Examiner Name	Not Yet Assigned		
Sheet 3 of 3					Attorney Docket Number	215105.01400		
	-			NON PA	TENT LITERATURE DOC	UMENTS		
Examine Initials*	r Cite No.1	Cite Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of						
	34		Eddowes, M. J., "Direct Immunochemical Sensing: Basic Chemical Principles and Fundamental Limitations", Biosensors, 3: 1-15, 1987.					
	35	Laurell, C. B., "Electroimmunoassay", Methods in Enzymology, vol. 73, Academic Press, New York, 339, 340, 346-348, 1981.					~	
	36			1. J., "Electro 6: 135-142,		ys", Phil. Trans. R. Soc.	-	
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		ALL REFERENCES CONSIDERED EXCER	T WHERE LINED THROUGH. /LA	1	
Examiner	1	/Lyle Alexander/	Date	03/04/2008	

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¹ Applicants unique clastion designation number (optional). 2 Applicant is to piteo a check mark here if English language Translation is attached.

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